IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE FOURTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

HON'BLE SRI DEVINDER GUPTA,

CHIEF JUSTICE

and
HON'BLE SRI JUSTICE C.V.RAMULU

WRIT PETITION NO : 20285 of 2004

Between:

Nandepu Ashok Kumar, s/o N.Naga Raju,
r/o 6-3-905/A, Flat No.202, Badam Apartments, Somajiguda, Hyderabad.

..... PETITIONER

AND

1 L.V.N.Prasad,
r/o B-33, Steel and Mines Complex, Sreenagar Colony,
Hyderabad.
2 L.Baghyalakshmi, w/o L.V.N.Prasad,
r/o B-33, Steel and Mines Complex, Sreenagar Colony,
Hyderabad.
3 L.Raghuram, s/o L.V.N.Prasad,
r/o B-33, Steel and Mines Complex, Sreenagar Colony,
Hyderabad.

4 The Station House officer, P.S.Panjagutta.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order, direction or writ one in the nature of writ of Habeas Corpus, or any other appropriate writ declaring the detention of Smt.Lanka Kameshwari Nagavani by respondent No.1 to 3 as illegal, void and unconstitutional, directing the respondent No.1 to 3 to produce Smt.Lanka Kameshwari Nagavani before this Hon'ble Court and hand over the custody of Smt.Lanka Kameshwari Nagavani to me in the interest of justice.

Counsel for the Petitioner : MR. CHETLURU SREENIVAS

Counsel for the respondents 1 to 3: None appeared.

Counsel for the Respondent No.4: ADVOCATE GENERAL.

The Court made the following :

ORAL ORDER:

(per Hon'ble The Chief Justice)

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From none of the averments made in the petition, we are satisfied that it is a fit case where we should call upon respondents 1 to 3 to produce Smt. Lanka Kameshwari Nagavani in Court. There is no material even to come to prima facie conclusion about the marriage. In such like petitions, it may not be appropriate even to call upon the petitioner to prove his marriage. Petitioner is at liberty to take out appropriate proceedings in accordance with law and only in the event of his proving the marriage with Smt. Lanka Kameshwari Nagavani, he can seek appropriate remedy. Accordingly writ petition is dismissed.

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DEVINDER GUPTA. C.J.,

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C.V. RAMULU. J.,

Dated: 04.11.2004.

VRK.

To

1. The Station House officer, P.S.Panjagutta, Hyderabad.

2. The Officer concerned, Public Interest Litigation Cell, High Court Buildings, Hyderabad.

3. The Secretary, A.P. State Legal Aid & Advisory Board, High Court Buildings, Hyderabad.

4. The Secretary to Government of A.P., Home Department, Secretariat, Hyderabad.

5. Two CCs to the Advocate-General, High Court Buildings, Hyderabad (OUT).

6. Two CD copies.

HON'BLE SRI DEVINDER GUPTA,

CHIEF JUSTICE

AND

HON'BLE SRI JUSTICE C.V. RAMULU.

W.P.NO.20285 OF 2004.

(Order of the Bench delivered by

Hon'ble The Chief Justice)

Dt: 04.11.2004.

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